

- (c) Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- (d) Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- (e) Conviction obtained by a violation of the privilege against self-incrimination.
- (f) Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- (g) Conviction obtained by a violation of the protection against double jeopardy.
- (h) Conviction obtained by action of a grand or petit jury which was unconstitutionally selected and impanelled.
- (i) Denial of effective assistance of counsel.
- (j) Denial of right of appeal.

- A. Ground one: COUNSEL WAS CONSTITUTIONALLY INEFFECTIVE WHERE HE FAILED TO OBJECT TO THE COURT'S DECISION TO IMPOSE RESTITUTION AS A CONDITION OF THE DEFENDANT'S SUPERVISED RELEASE.

Supporting FACTS (state *briefly* without citing cases or law): RESTITUTION IN THIS CASE, WAS MADE A CONDITION OF THE DEFENDANT'S SUPERVISED RELEASE BY COURT ORDER. THE COURT, REALIZING THAT ITS DECISION WAS NOT GOVERNED BY ANY EXPLICIT STATUTORY COMMAND, GROUNDED ITS DECISION SOLELY ON THE SENTENCING GUIDELINES MANDATE THAT: A COURT "SHALL" ENTER A RESTITUTION ORDER AS AUTHORIZED UNDER 18 U.S.C. §§ 3663 and 3664. BECAUSE THE COURT ACTED PRIOR TO THE ADVENT OF BOOKER, IT BELIEVED THAT THE GUIDELINES MANDATED THE IMPOSITION OF RESTITUTION, WHICH WAS IMPOSED ON THE CONDITION OF SUPERVISED RELEASE. ALLOWING THE ILLEGAL IMPOSITION OF RESTITUTION TO STAND UPON SUCH INVALID GROUNDS WOULD VIOLATE DUE PROCESS OF LAW AND WOULD ALSO CONSTITUTE A COMPLETE MISCARRIAGE OF JUSTICE.

- B. Ground two: COUNSEL WAS CONSTITUTIONALLY INEFFECTIVE WHERE HE FAILED TO OBJECT TO THE AMOUNT OF RESTITUTION IMPOSED AND ITS FAILURE TO BREAKDOWN THE JOINT AND/OR THE SEVERED PAYMENTS BY EACH DEFENDANT AND OTHER FINDINGS.

Supporting FACTS (state *briefly* without citing cases or law): IN ITS DETERMINATION OF WHETHER TO ORDER RESTITUTION UNDER 18 U.S.C. § 3663, AND THE AMOUNT OF RESTITUTION, THE COURT SHALL CONSIDER THE AMOUNT OF THE LOSS SUSTAINED BY ANY VICTIM AS A RESULT OF THE OFFENSE, THE FINANCIAL RESOURCES OF THE DEFENDANT AND HIS DEPENDENTS, AND, SUCH OTHER FACTORS AS THE COURT DEEMS APPROPRIATE. THE STATUTE MANDATES THAT THE COURT CONSIDER CERTAIN FACTORS IN DETERMINING WHETHER OR NOT TO EXERCISE ITS DISCRETION TO ORDER RESTITUTION PURSUANT TO TITLE 18 U.S.C. § 3663(a)(1). CLEARLY, COUNSEL SHOULD HAVE REQUESTED OF THE COURT TO MAKE SPECIFIC FACTUAL FINDINGS AS TO THE DEFENDANT'S ABILITY TO PAY RESTITUTION IN THE FIRST INSTANCE. THE DEFENDANT WAS, IN FACT, DEPRIVED OF HIS SIXTH AMENDMENT RIGHT TO EFFECTIVE ASSISTANCE OF COUNSEL.

- C. Ground three: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

D. Ground four: _____

Supporting FACTS (state *briefly* without citing cases or law): _____

13. If any of the grounds listed in 12A, B, C, and D were not previously presented, state briefly what grounds were not so presented, and give your reasons for not presenting them: THE DEFENDANT IS UNTRAINED IN LAW AND HE HAVE NO PREVIOUS TRAINING AT PERFORMING LEGAL RESEARCH, AND THEREFORE, HE PLACED ALL OF HIS TRUST AND CONFIDENCE IN HIS LAWYER TO PRESERVE AND PROTECT EACH OF HIS CONSTITUTIONAL RIGHTS, OF WHICH, HE FAILED TO DO, AS SUCH, THE DEFENDANT NOW RAISE THE INSTANT CLAIMS IN THIS SECTION 2255 MOTION.

14. Do you have any petition or appeal now pending in any court as to the judgment under attack?
Yes ☐ No ☒

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing JOHN T. GORMAN, ESQUIRE, 400 route 8, SUITE 501, MONGMONG, GUAM-96910.

(b) At arraignment and plea SAME

"

(c) At trial SAME

"

(d) At sentencing SAME

"

"

(e) On appeal N/A

"

(f) In any post-conviction proceeding N/A

"

(g) On appeal from any adverse ruling in a post-conviction proceeding N/A

"

16. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at approximately the same time?

Yes ☐ No ☐

17. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

Yes ☐ No ☐(a) If so, give name and location of court which imposed sentence to be served in the future: N/A

"

"

(b) Give date and length of the above sentence: N/A

"

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future?

Yes ☐ No ☐

N/A N/A

Wherefore, movant prays that the Court grant him all relief to which he may be entitled in this proceeding.

PRO SE

Signature of Attorney (if any)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

JANUARY 11TH, 2006

(date)



Signature of Movant

FEB 23 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANDREW K. QUIAMBAO

Defendant.

Case No. CR-04-0002-002

CV-05-0027 06-0004

ORDER DENYING DEFENDANT
QUIAMBAO'S MOTION
UNDER 28 U.S.C. §2255

THIS MATTER came before the court on *pro se* defendant's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. Defendant articulated two grounds for his motion: (1) the court imposed restitution based on the mandatory nature of the sentencing guidelines in violation of *United States v. Booker*, 543 U.S. 220 (Jan. 12, 2005); and (2) legal counsel was constitutionally ineffective because he failed to object to the amount of restitution imposed, failed to move the court to break down the joint and several payments of each defendant, and failed to move the court to consider the 18 U.S.C. § 3663 factors to determine defendant's ability to pay restitution.

The motion was placed in the prison's internal mail system on January 12, 2006. Accordingly, on its face, defendant's first ground seems timely under 28 U.S.C. § 2255 (3) because it was filed within one year from the Supreme Court's decision in *United States v. Booker*, 543 U.S. 220 (Jan. 12, 2005). *See* 28 U.S.C. § 2255 (3) (One year statute of limitations runs from "the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review[.]"). However, upon further inspection, the court finds defendant's first ground untimely and unpersuasive because the precedent set in *Booker* does not apply. The plea that defendant Quiambao

A TRUE COPY,

Certified this 8th day of June 20 07

1 agreed to required defendant to "make restitution to Choice Radio, Inc. D/b/a 'iConnect,' and the
2 United States Government in an amount to be specified by the Court in accordance with 18 U.S.C.
3 §§ 3663, 3663A, and 3664." Plea Agreement, No. 22 (Mar. 26, 2004). Therefore, the mandatory
4 nature of the Sentencing Guidelines did not affect the court's decision to require defendant
5 Quiambao to make restitution. Accordingly, because the new precedent in *Booker* does not apply,
6 defendant's first ground is untimely and rejected.

7 Furthermore, Defendant's second ground is untimely. All of defendant's grievances over
8 ineffective counsel relate to events that fall under 28 U.S.C. § 2255(1) (One year statute of
9 limitations runs from "the date on which the judgment of conviction becomes final[.]). The judgment
10 of conviction, however, became final in 2004.

11 **ACCORDINGLY, THE COURT**, having considered defendant's first motion under §
12 2255, **DENYS** defendants' motion as untimely.

13 **DATED** this 23rd day of February, 2006.

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16 ALEX R. MUNSON
17 Judge
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FILED
Clerk
District CourtIN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN MARIANA ISLANDS

MAR 30 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

UNITED STATES OF AMERICA,

RESPONDENT,

-VS-

ANDREW K. QUIAMBAO,


DEFENDANT.

DISTRICT CASE NO:CR-04-0002-002;APPELLATE CASE NO:06-0004THE DEFENDANT'S NOTICE OF APPEAL
AND HIS REQUEST TO PROCEED ON
APPEAL IN FORMA PAUPERIUS

COMES NOW, Andrew k. Quiambao, , The Defendant/Petitioner, in PRO SE, and hereby respectfully submit his notice of appeal from the District Court's denial of his motion under § 2255, and his request of this Honorable Court to permit him to proceed ob appeal in forma pauperius. The Defendant swears under penalty of perjury, pursuant to Title 28 U.S.C. § 1746, that he provided an exact copy of this motion to the opposing party, e;g, the assistant United States Attorney for this judicial district.

DATED: MARCH 15TH, 2006.

Respectfully submitted,


 Andrew K. Quiambao #02426-093
 F.C.I. Lompoc Low-K-Unit
 3600 Guard Road
 Lompoc, California-93436.

A TRUE COPY

 Certified this 8th day of June 20 07
 By [Signature]
 (Deputy Clerk)

FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE REV. 1/90

IN UNITED STATES
IN THE CASE OF

☐ MAGISTRATE ☒ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

U.S. OF AMERICA vs. A.K. QUIAMBAO

FOR THE U.S. DISTRICT COURT IN THE
NORTHERN MARIANA ISLANDS
AT
SAIPAN, MP-96950

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

ANDREW K. QUIAMBAO

CHARGE/OFFENSE (describe if applicable & check box →)

☒ Felony
☐ Misdemeanor

CONSPIRACY TO COMMIT ARSON IN VIOLATION OF
TITLE 18 U.S.C. SECTION 844(n).

- 1 ☒ Defendant—Adult
2 ☐ Defendant—Juvenile
3 ☒ Appellant
4 ☐ Probation Violator
5 ☐ Parole Violator
6 ☐ Habeas Petitioner
7 ☒ 2255 Petitioner
8 ☐ Material Witness
9 ☒ Other (Specify) APPEAL

DOCKET NUMBERS

CIVIL CASE NO:
CV-06-0004
District Court
CR-04-0002-002
Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOYMENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self Employed	
	Name and address of employer: <u>N/A</u>	
	IF YES, how much do you earn per month? \$ <u>N/A</u>	IF NO, give month and year of last employment How much did you earn per month \$ <u>N/A</u>
	If married is your Spouse employed? <u>N/A</u> <input type="checkbox"/> Yes <u>N/A</u> <input type="checkbox"/> No IF YES, how much does your Spouse earn per month \$ <u>N/A</u> If a minor under age 21, what is your Parents or Guardian's approximate monthly income \$ <u>N/A</u>	
ASSETS	OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES
		RECEIVED <u>000.00</u> N/A <u>000.00</u> N/A <u>000.00</u> N/A
CASH	Have you any cash on hand or money in savings or checking account <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ <u>N/A</u>	
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	IF YES, GIVE VALUE AND DESCRIBE IT	VALUE <u>000.00</u> <u>000.00</u> <u>000.00</u> <u>000.00</u>
	DESCRIPTION <u>N/A</u> <u>N/A</u> <u>N/A</u> <u>N/A</u>	

OBLIGATIONS & DEBTS	DEPENDENTS	MARITAL STATUS <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> SEPARATED OR DIVORCED	No. of Dependents <u>N/A</u>	List persons you actually support and your relationship to them <u>N/A</u> " " "		
		DEBTS & MONTHLY BILLS (LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)	APARTMENT OR HOME:	Creditors	Total Debt	Monthly Payt.
			<u>N/A</u>	<u>N/A</u>	\$ <u>000.00</u>	\$ <u>000.00</u>
			<u>"</u>	<u>"</u>	\$ <u>"</u>	\$ <u>"</u>

I certify the above to be correct.

SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)

3/21/2006

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH.

U.S. District Court for the Northern Mariana Islands, Saipan, MP
Filed 03/22/06 Page 7 of 30

Inmate Inquiry

Inmate Reg #:	02126993	Current Institution:	Lompoc JCI
Inmate Name:	QUINBAYO ANDREW	Housing Unit:	B
Report Date:	03/22/2006	Living Quarters:	K03-009U
Report Time:	11:30:50 AM		

[General Information](#)[Account Balances](#)[Commissary History](#)[Commissary Restrictions](#)[Comments](#)**General Information**

Administrative Hold Indicator: No

No Power of Attorney: No

Never Waive NSF Fee: No

Max Allowed Deduction %: 100

PIN: 8949

PAC #:

FRP Participation Status: Participating

Arrived From:

Transferred To:

Account Creation Date: 7/13/2004

Local Account Activation Date: 7/14/2004 4:12:30 AM

Sort Codes:

Last Account Update: 3/21/2006 6:30:36 PM

Account Status: Active

Phone Balance: \$2.13

FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate
Monthly	\$25.00	0%

Account Balances

Account Balance: \$35.10

Pre-Release Balance: \$0.00

Debt Encumbrance: \$0.00

SPO Encumbrance: \$0.00

Other Encumbrances: \$0.00

Outstanding Negotiable Instruments: \$0.00

Administrative Hold Balance: \$0.00

Available Balance: \$35.10

National 6 Months Deposits: \$564.77

National 6 Months Withdrawals: \$547.72

National 6 Months Avg Daily Balance: \$26.48

Local Max. Balance - Prev. 30 Days: \$52.10

Average Balance - Prev. 30 Days: \$25.88

Commissary History

Purchases

Validation Period Purchases: \$0.00
YTD Purchases: \$0.00
Last Sales Date: 8/17/2005 6:30:36 PM

SPO Information

SPO's this Month: 0
SPO \$ this Quarter: \$0.00

Spending Limit Info

Spending Limit Override: No
Weekly Revalidation: No
Spending Limit: \$290.00
Expended Spending Limit: \$0.00
Remaining Spending Limit: \$290.00

Commissary Restrictions

Spending Limit Restrictions

Restricted Spending Limit: \$0.00
Restricted Expended Amount: \$0.00
Restricted Remaining Spending Limit: \$0.00
Restriction Start Date: N/A
Restriction End Date: N/A

Item Restrictions

List Name	List Type	Start Date	End Date	Userid	Active
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Comments

Comments:

APR 03 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

ANDREW K. QUIAMBAO,

Applicant-Defendant,

vs.

UNITED STATES OF AMERICA,

Respondent-Plaintiff.

Case No. CV-06-0004
CR-04-0002-002

ORDER DENYING APPLICANT
QUIAMBAO'S MOTION
FOR CERTIFICATE OF
APPEALABILITY

THIS MATTER came before the court on *pro se* applicant / defendant's notice of appeal filed on March 30, 2006. The Defendant's Notice of Appeal and His Request to Proceed on Appeal in Forma Pauperis, *Quiambao v. United States*, No. 3 (D. N. Mar. I. March 30, 2006). Although the form of the filing indicates that it is a notice, the court considers the substance of the filing to be a motion for the court to issue a certificate of appealability. Fed. R. App. P. 22(b)(1) ("If an applicant files a notice of appeal, the district judge who rendered the judgment must either issue a certificate of appealability or state why a certificate should not issue.").

THE COURT, having considered the facts and its Order Denying Defendant Quiambao's Motion Under 28 U.S.C. § 2255, *Quiambao v. United States*, No. 2 (D. N. Mar. I. Feb. 24, 2006), **DENIES** applicant Quiambao's motion for the court to issue a certificate of appealability. As explained in the court's order of February 26, 2006, applicant's / defendant's motion under 28 U.S.C. § 2255 on grounds that the precedent from *United States v. Booker*, 543 U.S. 220 (Jan. 12, 2005), applies and that applicant / defendant received ineffective assistance of counsel were untimely. Because applicant Quiambao has not made a "substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2), issuing a certificate of appealability is not appropriate.

A TRUE COPY

Certified this 8th day of June 20 07

DATED this 3rd day of April, 2006.


ALEX R. MUNSON
Judge

QUIAMBAO_A.stpgar

LEONARDO M. RAPADAS

United States Attorney

MARIVIC P. DAVID

Assistant U.S. Attorney

Sirena Plaza, Suite 500

108 Hernan Cortez Avenue

Hagåtña, Guam 96910-5059

TEL: (671) 472-7332

FAX: (671) 472-7215

Attorneys for United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANDREW K. QUIAMBAO,

Defendant,

JAC ENTERPRISES LLC

dba SOUTHERN SKIES CHURROS,

Garnishee.

CRIMINAL CASE NO. 04-00002

STIPULATED MOTION FOR A
WRIT OF CONTINUING
GARNISHMENT

WHEREAS Defendant, ANDREW K. QUIAMBAO, Social Security Number XXX-XX-2101, has requested that wages paid to the judgment defendant, in the amount of \$75.00 per pay period (\$150.00 per month) be made payable to the Clerk, U.S. District for the NMI for payment toward his restitution that is due and owing;

//

//

A TRUE COPY


Certified this 8th day of June 20 07

By

1 Plaintiff, UNITED STATES OF AMERICA, and Defendant, ANDREW K.
2 QUIAMBAO, hereby jointly move the Court for an order of a writ of continuing garnishment on
3 the wages paid to the judgment defendant, in the amount of \$75.00 per pay period (\$150.00 per
4 month), until his restitution obligation is paid in full.

5 The parties further agree that this garnishment may thereafter be further modified and
6 amended upon stipulation of the parties; or, should the parties fail to agree upon the terms of a
7 new writ of continuing garnishment, the Court may, after motion by plaintiff, issue a Final Order
8 for Continuing Garnishment.

9
10 Dated: 5-31-07



ANDREW K. QUIAMBAO
Defendant

13
14 LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and the NMI

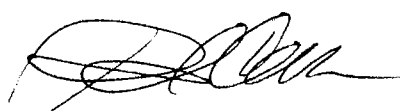
15
16
17 Dated: 6/4/07

18 By: 

MARIVIC P. DAVID
Assistant U.S. Attorney

19
20 APPROVED:

21
22 F. MICHAEL CRUZ
Chief Probation Officer
Districts of Guam and the NMI

23
24
25 By: 

ROBERT I. CARREON
U.S. Probation Officer

FILED
Clerk
District Court

JUN - 5 2007

For The Northern Mariana Islands
By _____
(Deputy Clerk)

1 **QUIAMBAO_A.stpwrit**

2 **LEONARDO M. RAPADAS**
United States Attorney
3 **MARIVIC P. DAVID**
Assistant U.S. Attorney
4 Sirena Plaza, Suite 500
108 Hernan Cortez Avenue
5 Hagåtña, Guam 96910-5059
TEL: (671) 472-7332
6 FAX: (671) 472-7215

7 Attorneys for United States of America

8
9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE NORTHERN MARIANA ISLANDS**

11 **UNITED STATES OF AMERICA,**
12
13 **Plaintiff,**

14 **vs.**

15 **ANDREW K. QUIAMBAO,**
16 **Defendant,**

17 **JAC ENTERPRISES, LLC**
18 **dba SOUTHERN SKIES CHURROS,**

19 **Garnishee.**
20

CRIMINAL CASE NO. 04-00002

**WRIT OF CONTINUING
GARNISHMENT**

21
22 **Upon stipulated motion of Plaintiff and Defendant for an order of a Writ of Continuing**
23 **Garnishment on Defendant, ANDREW K. QUIAMBAO's wages in the amount of \$75.00 per**
24 **pay period (\$150.00 per month);**

25 **//**

26 **//**

27 **//**

A TRUE COPY

Certified this 5th day of June 20 07

By _____

1 IT IS HEREBY ORDERED that Garnishee place a continuous writ of garnishment on
2 wages in the amount of \$75.00 per pay period (\$150.00 per month) of ANDREW K.
3 QUIAMBAO, Social Security Number XXX-XX-2101, until further notice.

4 Checks should be made payable to:

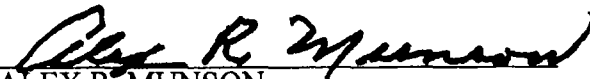
5 **CLERK, U.S. DISTRICT COURT FOR THE NMI**

6 and mailed to:

7 U.S. District Court for the Northern Mariana Islands
8 2nd Floor, Horiguchi Building, Garapan
9 P.O. Box 500687
Saipan, MP 96950

10 with a reference to court number **CR 04-00002** to ensure his account is properly credited.

11 DATED this 5TH day of JUNE, 2007.

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14 
15 ALEX R. MUNSON
16 Chief Judge
17 District Court for the
18 Northern Mariana Islands
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**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 04-00002-002
)	
Plaintiff,)	
)	TRANSFER OF JURISDICTION
vs.)	
)	
ANDREW K. QUIAMBAO,)	
)	
Defendant.)	
_____)	

Andrew K. Quiambao was sentenced in the U.S. District Court, District of the Northern Mariana Islands, on July 1, 2004 for Conspiracy to Commit Arson, in violation of 18 U.S.C. § 844(n). He was ordered to serve 37 months imprisonment and three years supervised release with conditions that he comply with the mandatory and standard conditions of supervised release; not possess a firearm or dangerous weapon; participate in a drug treatment and testing program approved by the U.S. Probation Office; perform 200 hours of community service; pay \$567,396.54 restitution; and pay a \$100 special assessment fee. Upon release from imprisonment on December 29, 2006, Mr. Quiambao was released to the District of Guam to serve his supervised release term.

Since the start of supervision on December 29, 2006, this Officer has worked closely with Mr. Quiambao to ensure compliance with all court-ordered conditions. He has made marginal progress to date, however, he has been less than cooperative with regard to payment of restitution. Specifically, Mr. Quiambao has refused to make monthly restitution payments of \$200 per month, which is the amount this Officer has determined to be his ability pay. In addition, he has not submitted financial documents to this Officer as requested to support his claim of his inability to pay.

Supervision Compliance: Mr. Quiambao paid the \$100 special assessment fee on January 22, 2005. While in custody, he paid \$571.82 towards restitution. Since the start of supervision, Mr. Quiambao has paid \$180 towards restitution. He has obtained employment as a courier and has agreed for his wages to be garnished at \$150 per month. Garnishment should begin on June 2007. Mr. Quiambao has attended all drug treatment and testing appointments and has maintained adequate compliance. He has submitted all monthly supervision reports as required.

Transfer of Jurisdiction
Re: QUIAMBAO, Andrew K.
USDC Cr. Cs. No. 04-00002-001
June 4, 2007
Page 2

Recommendation: In order to promptly address the restitution issues presenting, this Officer respectfully requests the transfer of jurisdiction to the U.S. District Court of Guam.


Respectfully submitted,

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By: 

ROBERT I. CARREON
U.S. Probation Officer

Reviewed by:



ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader

cc: File

APPEAL, CLOSED

**U.S. District Court
Northern Mariana Islands (NMI)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-00002-ALL
Internal Use Only**

Case title: United States of America v. Leon Guerrero

Date Filed: 02/25/2004

Assigned to: U.S. District Judge Alex
R. Munson

Defendant**Marvin Leon Guerrero (1)**

represented by **Joaquin Dlg. Torres**
Torres Brothers, LLC, Attorneys-at-Law
P. O. Box 501856
Saipan, MP 96950
(670) 233-5506
Fax: (670) 233-5510
Email: torres_jack@yahoo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

CONSPIRACY TO COMMIT ARSON
(1)

Disposition

Count 1, 60 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or
Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 60 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

Highest Offense Level (Opening)

Felony

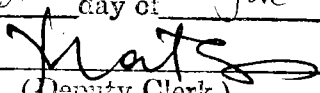
Terminated Counts**Disposition**

Count 1, 60 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or

A TRUE COPY

Certified this 24th day of June 20 07

By


(Deputy Clerk)

Case 1:07-cr-00060 Document 2-2 Filed 06/12/2007 Page 18 of 30

https://ecf.nmid.circ9.dcn/cgi-bin/DktRpt.pl?593367671628784-L_280_0-1

6/8/2007

ARSON: ATTEMPTED
DESTRUCTION OF INTERSTATE
COMMERCE FACILITY
(2)

Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 60 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

ARSON: DESTRUCTION OF
INTERSTATE COMMERCE
FACILITY
(3)

Count 1, 60 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or
Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 60 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

ARSON: ATTEMPTED
DESTRUCTION OF GOVERNMENT
PROPERTY
(4)

Count 1, 60 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or
Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 60 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

ARSON: DESTRUCTION OF
GOVERNMENT PROPERTY
(5)

Count 1, 60 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or
Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 60 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: U.S. District Judge Alex
R. Munson

Defendant

Andrew Quiambao (2)
TERMINATED: 06/08/2007

represented by **John T. GORMAN**
Federal Public Defender, District of
Guam
First Hawaiian Bank Building
400 Route 8, Suite 501
Mongmong, GU 96910-
(671) 472-7112
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

CONSPIRACY TO COMMIT ARSON
(1)

Disposition

Count 1, 37 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or
Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 37 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

Highest Offense Level (Opening)

Felony

Terminated Counts

ARSON: ATTEMPTED
DESTRUCTION OF INTERSTATE
COMMERCE FACILITY
(2)

Disposition

Count 1, 37 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or
Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 37 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

Count 1, 37 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or

ARSON: DESTRUCTION OF
INTERSTATE COMMERCE
FACILITY
(3)

Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 37 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

ARSON: ATTEMPTED
DESTRUCTION OF GOVERNMENT
PROPERTY
(4)

Count 1, 37 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or
Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 37 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

ARSON: DESTRUCTION OF
GOVERNMENT PROPERTY
(5)

Count 1, 37 Month(s) Prison. Count 2
Dismissed or Govt Mot for Acq
GRANTED. Count 3 Dismissed or
Govt Mot for Acq GRANTED. Count 4
Dismissed or Govt Mot for Acq
GRANTED. Count 5 Dismissed or
Govt Mot for Acq GRANTED.
[Summary: 37 Month(s) Prison; Res
titution: \$567,393.54; Special
Assessment: \$100.00; Supervised
Release: 36 Month(s)]

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Assigned to: U.S. District Judge Alex
R. Munson

Defendant

John Peter Reyes Mendiola (3)

represented by **Joaquin, Jr. C Arriola**
259 Martyr Street, Suite 201
Hagatna, GU 96910-
(671) 477-9730
Fax: (671) 477-9734
LEAD ATTORNEY

ATTORNEY TO BE NOTICED*Designation: Retained***Pending Counts**

CONSPIRACY TO COMMIT ARSON
(1)

Disposition

Count 1, 37 Month(s) Prison, Credit for Time Served. Count 2 Dismissed or Govt Mot for Acq GRANTED. Count 3 Dismissed or Govt Mot for Acq GRANTED. Count 4 Dismissed or Govt Mot for Acq GRANTED. Count 5 Dismissed or Govt Mot for Acq GRANTED. [Summary: 37 Month(s) Prison; Restitution: \$567,393.54; Special Assessment: \$100.00; Supervised Release: 36 Month(s)]

Highest Offense Level (Opening)

Felony

Terminated Counts

ARSON: ATTEMPTED
DESTRUCTION OF INTERSTATE
COMMERCE FACILITY
(2)

Disposition

Count 1, 37 Month(s) Prison, Credit for Time Served. Count 2 Dismissed or Govt Mot for Acq GRANTED. Count 3 Dismissed or Govt Mot for Acq GRANTED. Count 4 Dismissed or Govt Mot for Acq GRANTED. Count 5 Dismissed or Govt Mot for Acq GRANTED. [Summary: 37 Month(s) Prison; Restitution: \$567,393.54; Special Assessment: \$100.00; Supervised Release: 36 Month(s)]

ARSON: DESTRUCTION OF
INTERSTATE COMMERCE
FACILITY
(3)

Count 1, 37 Month(s) Prison, Credit for Time Served. Count 2 Dismissed or Govt Mot for Acq GRANTED. Count 3 Dismissed or Govt Mot for Acq GRANTED. Count 4 Dismissed or Govt Mot for Acq GRANTED. Count 5 Dismissed or Govt Mot for Acq GRANTED. [Summary: 37 Month(s) Prison; Restitution: \$567,393.54; Special Assessment: \$100.00; Supervised Release: 36 Month(s)]

ARSON: ATTEMPTED
DESTRUCTION OF GOVERNMENT

Count 1, 37 Month(s) Prison, Credit for Time Served. Count 2 Dismissed or Govt Mot for Acq GRANTED. Count 3 Dismissed or Govt Mot for Acq GRANTED. Count 4 Dismissed or

PROPERTY
(4)

Govt Mot for Acq GRANTED. Count 5
Dismissed or Govt Mot for Acq
GRANTED. [Summary: 37 Month(s)
Prison; Restitution: \$567,393.54;
Special Assessment: \$100.00;
Supervised Release: 36 Month(s)]

ARSON: DESTRUCTION OF
GOVERNMENT PROPERTY
(5)

Count 1, 37 Month(s) Prison, Credit for
Time Served. Count 2 Dismissed or
Govt Mot for Acq GRANTED. Count 3
Dismissed or Govt Mot for Acq
GRANTED. Count 4 Dismissed or
Govt Mot for Acq GRANTED. Count 5
Dismissed or Govt Mot for Acq
GRANTED. [Summary: 37 Month(s)
Prison; Restitution: \$567,393.54;
Special Assessment: \$100.00;
Supervised Release: 36 Month(s)]

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

United States of America

represented by **Patrick J. Smith**
United States Attorney Office
Assistant US Attorney
P.O. Box 500377
Saipan, MP 96950-
670-236-2952
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marivic P. David
United States Attorney's Office
Suite 500, Sirena Plaza
108 Hernan Cortez Avenue
Hagatna, GU 96910-
Email: Marivic.David@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/25/2004	1	INDICTMENT Filed by: GOVPTF United States Of America [MCM EOD 02/25/2004] (ORIGINAL GCMS ENTRY 1-1) (cnv) (Entered: 02/25/2004)

		02/25/2004)
02/25/2004	<u>2</u>	MINUTE ENTRY 2:30 p.m. (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 2-1) (cnv) (Entered: 02/25/2004)
02/25/2004	3	ORDER Setting Trial Date (April 26, 2004); Applies to: DFT Marvin Leon Guerrero [KLL EOD 02/25/2004] (ORIGINAL GCMS ENTRY 3-1) (cnv) (Entered: 02/25/2004)
02/27/2004	4	NOTICE of posting security in accordance with release conditions; Filed by: DFT Marvin Leon Guerrero [MGM EOD 02/27/2004] (ORIGINAL GCMS ENTRY 4-1) (cnv) (Entered: 02/27/2004)
02/27/2004	5	DECLARATION of Joaquin DLG. Torres, Esq. in support of notice of posting security in accordance with release conditions; Filed by: DFT Marvin Leon Guerrero [MGM EOD 02/27/2004] (ORIGINAL GCMS ENTRY 5-1) (cnv) (Entered: 02/27/2004)
03/03/2004	6	NOTICE of Cancellation of Posting Security; [MCM EOD 03/03/2004] (ORIGINAL GCMS ENTRY 6-1) (cnv) (Entered: 03/03/2004)
03/05/2004	7	RETURN Of Summons In A Crim Case ; Applies to: DFT Quiambao, Andrew [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 7-1) (cnv) (Entered: 03/05/2004)
03/05/2004	8	RETURN Of Summons In A Crim Case ; Applies to: DFT Mendiola, John Peter Reyes [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 8-1) (cnv) (Entered: 03/05/2004)
03/05/2004	<u>9</u>	MINUTE ENTRY CR-04-00002-002, 003 March 5, 2004 (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 9-1) (cnv) (Entered: 03/05/2004)
03/05/2004	10	FINANCIAL Affdvt ; Applies to: DFT Quiambao, Andrew [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 10-1) (cnv) (Entered: 03/05/2004)
03/05/2004	11	ORDER Setting Conditions of Release; Applies to: DFT Mendiola, John Peter Reyes [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 11-1) (cnv) (Entered: 03/05/2004)
03/05/2004	12	APPEARANCE BOND Applies to: DFT Mendiola, John Peter Reyes [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 12-1) (cnv) (Entered: 03/05/2004)
03/05/2004	13	ORDER Setting Trial Date (Mendiola); Applies to: DFT Mendiola, John Peter Reyes [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 13-1) (cnv) (Entered: 03/05/2004)
03/05/2004	14	ORDER Setting Trial Date (Quiambao); Applies to: DFT Quiambao, Andrew [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 14-1) (cnv) (Entered: 03/05/2004)
03/05/2004	15	ORDER Setting Release Conditions; Applies to: DFT Quiambao,

		Andrew [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 15-1) (cnv) (Entered: 03/05/2004)
03/05/2004	16	APPEARANCE BOND Applies to: DFT Quiambao, Andrew [KLL EOD 03/05/2004] (ORIGINAL GCMS ENTRY 16-1) (cnv) (Entered: 03/05/2004)
03/23/2004	17	PLEA Agreement as to Defendant Marvin Leon Guerrero; Filed by: GOVPTF United States Of America [TTP EOD 03/23/2004] (ORIGINAL GCMS ENTRY 17-1) (cnv) (Entered: 03/23/2004)
03/23/2004	18	MINUTE ENTRY 2:30 p.m. (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 18-1) (cnv) (Entered: 03/23/2004)
03/23/2004	19	ORDER Setting Sentencing Date (June 29, 2004); Applies to: DFT Leon Guerrero, Marvin [KLL EOD 03/23/2004] (ORIGINAL GCMS ENTRY 19-1) (cnv) (Entered: 03/23/2004)
03/25/2004	20	APPLICATION and Order for Release of Passport as to Defendant John Peter Reyes Mendiola; [TTP EOD 03/25/2004] (ORIGINAL GCMS ENTRY 20-1) (cnv) (Entered: 03/25/2004)
03/26/2004	21	PLEA Agreement as to Defendant John Peter Reyes Mendiola; Filed by: GOVPTF United States Of America Applies to: DFT Mendiola, John Peter Reyes [TTP EOD 03/26/2004] (ORIGINAL GCMS ENTRY 21-1) (cnv) (Entered: 03/26/2004)
03/26/2004	22	PLEA Agreement as to Defendant Peter Quiambao ; Filed by: GOVPTF United States Of America Applies to: DFT Quiambao, Andrew [TTP EOD 03/26/2004] (ORIGINAL GCMS ENTRY 22-1) (cnv) (Entered: 03/26/2004)
03/26/2004	23	MINUTE ENTRY 10:40 a.m. (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 23-1) (cnv) (Entered: 03/26/2004)
03/26/2004	24	ORDER Setting Sentencing Date (June 29, 2004); Applies to: DFT Quiambao, Andrew [KLL EOD 03/26/2004] (ORIGINAL GCMS ENTRY 24-1) (cnv) (Entered: 03/26/2004)
03/26/2004	25	MINUTE ENTRY 10:10 a.m. (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 25-1) (cnv) (Entered: 03/26/2004)
03/26/2004	26	ORDER Setting Sentencing Date (July 9, 2004); Applies to: DFT Mendiola, John Peter Reyes [KLL EOD 03/26/2004] (ORIGINAL GCMS ENTRY 26-1) (cnv) (Entered: 03/26/2004)
04/14/2004	27	EX PARTE Motion Re Request for Temporary Transfer; Filed by: DFT Leon Guerrero, Marvin [TTP EOD 04/14/2004] (ORIGINAL GCMS ENTRY 27-1) (cnv) (Entered: 04/14/2004)
04/14/2004	28	DECLARATION Of Counsel in Support of Request for Temporary

		Transfer; Filed by: DFT Leon Guerrero, Marvin [TTP EOD 04/14/2004] (ORIGINAL GCMS ENTRY 28-1) (cnv) (Entered: 04/14/2004)
04/14/2004	29	ORDER Granting Motion for Temporary Transfer; [TTP EOD 04/14/2004] (ORIGINAL GCMS ENTRY 29-1) (cnv) (Entered: 04/14/2004)
04/30/2004	30	EX PARTE MOTION Re Request for Temporary Release; Filed by: DFT Leon Guerrero, Marvin [TTP EOD 04/30/2004] (ORIGINAL GCMS ENTRY 30-1) (cnv) (Entered: 04/30/2004)
04/30/2004	31	DECLARATION Of Counsel in Support of Request for Temporary Release; Filed by: DFT Leon Guerrero, Marvin [TTP EOD 04/30/2004] (ORIGINAL GCMS ENTRY 31-1) (cnv) (Entered: 04/30/2004)
05/03/2004	32	ORDER Granting Temporary Release (as to Defendant Marvin Leon Guerrero); [TTP EOD 05/03/2004] (ORIGINAL GCMS ENTRY 32-1) (cnv) (Entered: 05/03/2004)
05/04/2004	33	PETITION for Action on Conditions of Pretrial Release / Issue Summons for May 6, 2004 at 1:30 p.m.; [TTP EOD 05/04/2004] (ORIGINAL GCMS ENTRY 33-1) (cnv) (Entered: 05/04/2004)
05/06/2004	34	RETURN Of Summons In A Crim Case To: Andrew Kekoa Quiambao; Served on May 5, 2004; [TTP EOD 05/06/2004] (ORIGINAL GCMS ENTRY 34-1) (cnv) (Entered: 05/06/2004)
05/06/2004	<u>35</u>	MINUTE ENTRY 1:30 p.m. (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 35-1) (cnv) (Entered: 05/06/2004)
05/07/2004	36	RETURN of Service upon Marvin Leon Guerrero at DOC on April 24, 2004, 2004 "Order Granting Motion for Temporary Transfer"; [TTP EOD 05/07/2004] (ORIGINAL GCMS ENTRY 36-1) (cnv) (Entered: 05/07/2004)
05/07/2004	37	RETURN of Service upon Marvin Leon Guerrero at DOC on May 4, 2004 "Order Granting Temporary Release"; [TTP EOD 05/07/2004] (ORIGINAL GCMS ENTRY 37-1) (cnv) (Entered: 05/07/2004)
05/11/2004	38	NOTICE Rescheduling Sentencing Date as to Defendant Marvin Leon Guerrero (Rescheduled to Thursday, July 1, 2004 at 9:30 a.m.); [TTP EOD 05/11/2004] (ORIGINAL GCMS ENTRY 38-1) (cnv) (Entered: 05/11/2004)
05/11/2004	39	NOTICE Rescheduling Sentencing Date as to Defendant Andrew Quiambao (Rescheduled to Thursday, July 1, 2004 at 10:00 a.m.); [TTP EOD 05/11/2004] (ORIGINAL GCMS ENTRY 39-1) (cnv) (Entered: 05/11/2004)
05/25/2004	40	ORDER (Probation Officer's Request to Extend Time to File Pre-sentence Report Granted; Extended to May 27, 2004); [TTP EOD 05/25/2004] (ORIGINAL GCMS ENTRY 40-1) (cnv) (Entered: 05/25/2004)

06/10/2004	41	DEFENDANT'S Objections to Draft PSR; Filed by: DFT Mendiola, John Peter Reyes [TTP EOD 06/10/2004] (ORIGINAL GCMS ENTRY 41-1) (cnv) (Entered: 06/10/2004)
06/22/2004	42	RESPONSE to Presentence Report and Sentencing Memorandum; Certificate of Service; Filed by: DFT Quiambao, Andrew [TTP EOD 06/22/2004] (ORIGINAL GCMS ENTRY 42-1) (cnv) (Entered: 06/22/2004)
06/23/2004	43	NOTICE Rescheduling Sentencing (Sentencing Set for Friday, July 9, 2004 at 1:30 p.m. is Rescheduled to 8:30 a.m. on the Same Date); [TTP EOD 06/23/2004] (ORIGINAL GCMS ENTRY 43-1) (cnv) (Entered: 06/23/2004)
06/24/2004	44	SUPPLEMENTAL Sentencing Hearing Exhibit; Certificate of Service; Filed by: DFT Quiambao, Andrew [TTP EOD 06/24/2004] (ORIGINAL GCMS ENTRY 44-1) (cnv) (Entered: 06/24/2004)
06/30/2004	45	SUPPLEMENTAL Response to Presentence Report and Sentencing Memorandum; Certificate of Service; Filed by: DFT Quiambao, Andrew [TTP EOD 06/30/2004] (ORIGINAL GCMS ENTRY 45-1) (cnv) (Entered: 06/30/2004)
06/30/2004	46	GOVERNMENT'S Memorandum in Support of Downward Departure Motion Pursuant to U.S.S.G. 5K1.1 and 18 U.S.C. 1 3553(e); Filed by: GOVPTF United States Of America Applies to: DFT Quiambao, Andrew [TTP EOD 06/30/2004] (ORIGINAL GCMS ENTRY 46-1) (cnv) (Entered: 06/30/2004)
07/01/2004	47	MINUTE ENTRY 9:35 a.m. (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 47-1) (cnv) (Entered: 07/01/2004)
07/01/2004	48	JUDGMENT Applies to: DFT Quiambao, Andrew [KLL EOD 07/01/2004] (ORIGINAL GCMS ENTRY 48-1) (cnv) (Entered: 07/01/2004)
07/01/2004	49	MINUTE ENTRY 9:30 a.m. (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 49-1) (cnv) (Entered: 07/01/2004)
07/01/2004	50	JUDGMENT Applies to: DFT Leon Guerrero, Marvin [KLL EOD 07/01/2004] (ORIGINAL GCMS ENTRY 50-1) (cnv) (Entered: 07/01/2004)
07/06/2004	51	NOTICE Rescheduling Sentencing Time (Sentencing Set for Friday, July 9, 2004 at 8:30 a.m. is Rescheduled to 9:00 a.m. on the Same Date); [TTP EOD 07/06/2004] (ORIGINAL GCMS ENTRY 51-1) (cnv) (Entered: 07/06/2004)
07/08/2004	52	GOVERNMENT'S Memorandum in Support of Downward Departure Motion Pursuant to U.S.S.G. 5K1.1 and 18 U.S.C. 3553(e); Filed by: GOVPTF United States Of America Applies to: DFT Mendiola, John Peter Reyes [TTP EOD 07/08/2004] (ORIGINAL GCMS ENTRY 52-1)

		(cnv) (Entered: 07/08/2004)
07/09/2004	<u>53</u>	MINUTE ENTRY 9:10 a.m. (CONVERTED TO PDF FOR CMECF CONVERSION 7/23/2005 5:55AM) (ORIGINAL GCMS ENTRY 53-1) (cnv) (Entered: 07/09/2004)
07/09/2004	54	JUDGMENT in a Criminal Case; Applies to: DFT Mendiola, John Peter Reyes [TTP EOD 07/09/2004] (ORIGINAL GCMS ENTRY 54-1) (cnv) (Entered: 07/09/2004)
08/11/2004	55	NOTICE of Lien for Fine and /or Restitution Imposed Pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996 (Serial No. 001) (\$567,496.54); Filed by: GOVPTF United States Of America Applies to: DFT Leon Guerrero, Marvin [TTP EOD 08/11/2004] (ORIGINAL GCMS ENTRY 55-1) (cnv) (Entered: 08/11/2004)
08/11/2004	56	NOTICE of Lien for Fine and /or Restitution Imposed Pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996 (Serial No. 002) (\$567,496.54); Filed by: GOVPTF United States Of America [TTP EOD 08/11/2004] (ORIGINAL GCMS ENTRY 56-1) (cnv) (Entered: 08/11/2004)
08/11/2004	57	NOTICE of Lien for Fine and/or Restitution Imposed Pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996 (Serial No. 001) (\$567,496.54); Filed by: GOVPTF United States Of America Applies to: DFT Quiambao, Andrew [TTP EOD 08/11/2004] (ORIGINAL GCMS ENTRY 57-1) (cnv) (Entered: 08/11/2004)
08/11/2004	58	NOTICE of Lien for Fine and/or Restitution Imposed Pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996 (Serial No. 002) (\$567,496.54); Filed by: GOVPTF United States Of America Applies to: DFT Quiambao, Andrew [TTP EOD 08/11/2004] (ORIGINAL GCMS ENTRY 58-1) (cnv) (Entered: 08/11/2004)
08/11/2004	59	NOTICE of Lien for Fine and/or Restitution Imposed Pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996 (Serial No. 001) (\$567,496.54); Filed by: GOVPTF United States Of America Applies to: DFT Mendiola, John Peter Reyes [TTP EOD 08/11/2004] (ORIGINAL GCMS ENTRY 59-1) (cnv) (Entered: 08/11/2004)
08/11/2004	60	NOTICE of Lien for Fine and/or Restitution Imposed Pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996 (Serial No. 002) (\$567,496.54); Filed by: GOVPTF United States Of America [TTP EOD 08/11/2004] (ORIGINAL GCMS ENTRY 60-1) (cnv) (Entered: 08/11/2004)
08/19/2004	61	MOTION United States' Motion to Amend Judgment and Order; Filed by: GOVPTF United States Of America Applies to: DFT Leon Guerrero, Marvin [TTP EOD 08/19/2004] (ORIGINAL GCMS ENTRY 61-1) (cnv) (Entered: 08/19/2004)
08/19/2004	62	MOTION United States' Motion to Amend Judgment and Order; Filed by: GOVPTF United States Of America Applies to: DFT Quiambao,

		Andrew [TTP EOD 08/19/2004] (ORIGINAL GCMS ENTRY 62-1) (cnv) (Entered: 08/19/2004)
08/19/2004	63	AMENDED Judgment in a Criminal Case; Applies to: DFT Leon Guerrero, Marvin [TTP EOD 08/19/2004] (ORIGINAL GCMS ENTRY 63-1) (cnv) (Entered: 08/19/2004)
08/19/2004	64	AMENDED Judgment in a Criminal Case; Applies to: DFT Quiambao, Andrew [TTP EOD 08/19/2004] (ORIGINAL GCMS ENTRY 64-1) (cnv) (Entered: 08/19/2004)
07/18/2005	65	MOTION to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody; Applies to: DFT Leon Guerrero, Marvin [ACH EOD 07/18/2005] (ORIGINAL GCMS ENTRY 65-1) (cnv) (Entered: 07/18/2005)
07/18/2005	66	MEMORANDUM Of P & A in Support of Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody; Sworn Affidavit of Marvin Leon Guerrero; Applies to: DFT Leon Guerrero, Marvin [ACH EOD 07/18/2005] (ORIGINAL GCMS ENTRY 66-1) (cnv) (Entered: 07/18/2005)
08/09/2005	67	ORDER denying Defendant's First [65] 28 U.S.C. § Motion as to Marvin Leon Guerrero (1). Signed by Judge Alex R. Munson on 08/09/2005. (ACH,) (Entered: 08/09/2005)
01/25/2006	68	MOTION to Vacate under 28 U.S.C. 2255 (Civil Action CV 06-0004.) by Andrew Quiambao. (ACH) (Entered: 01/25/2006)
02/23/2006	69	ORDER Denying Defendant Quiambao's 68 Motion Under 28 U.S.C. §2255. Signed by Judge Alex R. Munson on 2/23/06. (TPM) (Entered: 02/24/2006)
03/30/2006	70	The Defendant's NOTICE OF APPEAL and His Request to Proceed on Appeal In Forma Pauperius, re 69 Order on Motion to Vacate (2255), filed by Andrew Quiambao. (ACH) (Entered: 03/30/2006)
04/03/2006	71	ORDER Denying Applicant Quiambao's Motion for Certificate of Appealability re 70 Notice of Appeal. Signed by Judge Alex R. Munson on 4/3/2006. (TPM) (Entered: 04/03/2006)
01/18/2007	72	MOTION for Writ of <i>Continuing Garnishment</i> by United States of America as to John Peter Reyes Mendiola. (David, Marivic) (Entered: 01/18/2007)
01/18/2007	73	WRIT of Continuing Garnishment, as to John Peter Reyes Mendiola . Signed by Judge Alex R. Munson on 01/18/07. (ACH) (Entered: 01/18/2007)
01/23/2007	74	Certificate of Service by United States of America as to John Peter Reyes Mendiola re 73 Order, 72 MOTION for Writ of <i>Continuing Garnishment</i> (David, Marivic) (Entered: 01/23/2007)
04/27/2007	75	REPORT on Offender Under Supervision as to John Peter Reyes

		Mendiola. The Court Orders No Action. Signed by Judge Alex R. Munson. (TPM) (Entered: 04/27/2007)
06/05/2007	<u>76</u>	MOTION <i>Stipulated Motion for a Writ of Continuing Garnishment</i> by United States of America as to Andrew Quiambao. (David, Marivic) (Entered: 06/05/2007)
06/05/2007	<u>77</u>	WRIT of Continuing Garnishment as to Andrew Quiambao, Motions terminated as to Andrew Quiambao: 76 MOTION <i>Stipulated Motion for a Writ of Continuing Garnishment</i> filed by United States of America. Signed by Judge Alex R. Munson on 6/5/07. (ACH) (Entered: 06/05/2007)
06/08/2007	<u>78</u>	Transfer of Jurisdiction as to Andrew Quiambao, to the District of Guam. (ACH) (Entered: 06/08/2007)